

OFFICE OF THE DIRECTOR

DEPARTMENT OF MOTOR VEHICLES

P.O. BOX 932328

SACRAMENTO, CA 94232-3280



September 16, 2003

To: Interested Persons

Re: Notice of Modification of Proposed Regulations
Title 13, Article 2.1, Section 25.06 through 25.22
Employer Testing Program

In accordance with Government Code section 11346.8(c), the Department of Motor Vehicles (department) provides this notice for the purpose of inviting comments regarding modification of the proposed regulations governing the Employer Testing Program. The regulatory language as originally proposed was published in the California Regulatory Notice Register on December 20, 2002, and provided to interested persons for comment.

The department received only one comment during the 45-day comment period and no public hearing was held. The department has determined that additional modifications to the originally proposed text of the regulations are necessary.

Attached is the full text of the proposed regulation. The text includes the originally proposed language as well as the proposed changes to the language. The proposed modifications affect Sections 25.06, 25.07, 25.08, 25.09, 25.10, 25.11, 25.12, 25.13, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, and 25.22. The language modifications are clearly illustrated by the following methods:

- (1) The language now proposed to be added to the text is underlined.
- (2) ~~The language now proposed to be deleted from the original text is overstruck.~~

The following forms have been added to the file and incorporated by reference in the proposed regulations:

DL65ETP, Rev. 4/03 – ETP CDL Pre-Trip Inspection Evaluation Score Sheet
DL807 ETP, Rev. 7/02 – Employer Testing Program Commercial DPE Maneuver Checklist.
DL810ETP, New 1/02 – Employer Testing Program Request for Reinstatement-Examiner.
DL811ETP, Rev. 9/02 – Employer Testing Program Examiner Application.
DL813ETP, Rev. 11/01 – Employer Testing Program Request for Reinstatement Employer Number.
DL814ETP, Rev. 2/03 – Employer Testing Program Commercial Driving Performance Evaluation Route and Directions.
DL817ETP, Rev. 7/02 – Employer Testing Program Request for Reactivation Employer Number.

Any interested person may submit written comments regarding the changes to the proposed text to the Department of Motor Vehicles, Regulations Unit E-244, Post Office Box 932382, Sacramento, California 94232-3820. The comments must be received at the department no later than 5:00 PM on October 1, 2003, in order for them to be considered by the department.

Inquiries concerning the proposed regulatory action may be directed to departmental representative, Bonnie DeWatney, at (916) 657-8954, by e-mail at bdewatney@dmv.ca.gov, or by fax at (916) 657-1204.

The department has available the notice of proposed regulatory action, the initial statement of reasons, the original regulatory language, and other materials related to the proposed action. The contact person identified in this notice shall, upon request, make these documents available to the public.